

### **REMARKS**

The Title at p. 1 of the English translation and the Specification have been amended to correct a typographical error. Accordingly, no new matter is introduced by these amendments.

Claims 1-11 are pending in the application. Claims 1-11 are rejected. Claims 1-11 are cancelled. New process claims 12-20 are added to replace use claims 1-11, as well as new adhesive composition claim.

No new matter is introduced by these amendments.

#### **Reply to the Objection of Claims 3-10**

The Examiner has objected to claims 3-10 for being of improper dependent form due to multiple claim dependency. Claims 3-10 have been cancelled. Accordingly, the objection to claims 3-10 should now be moot.

#### **Reply to the Rejection of Claims 1-10 under 35 U.S.C. § 112, 2<sup>nd</sup> ¶ and 101**

The Examiner has rejected Claims 1-10 as being indefinite. Further, the Examiner has rejected Claims 1-10 as improper under 35 U.S.C. § 101. Claims 1-10 have been cancelled. Accordingly, the rejection of claims 1-10 under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph and 101 should now be moot.

#### **Reply to the Rejection of the Claims 1, 5-8, 10 and 11 under 35 U.S.C. § 102(a)**

U.S. Publication No. 2003/0032711 to Weitzel et al. –

The Examiner has rejected claims 1, 5-8, 10 and 11 as being anticipated by U.S. Publication No. 2003/0032711 to Weitzel *et al.* (“Weitzel 1”, also published as U.S. Patent No. 6,890,975). For the following reasons, Applicants respectfully traverse the Examiner’s rejection of claims 1, 5-8, 10 and 11 as being anticipated by Weitzel 1.

New independent claim 12 is directed towards redispersible dispersion powders comprising one or more copolymers having monomers having one or more carbonyl groups chosen from aldehyde and keto groups. The limitation of “monomers having one or more carbonyl groups chosen from aldehyde and keto groups” was also a limitation of former claim 2.

As this limitation was not part of the anticipation limitation, it is presumed that this limitation is not taught by Weitzel 1. Therefore, it cannot be said that Weitzel 1 anticipates the presently claimed invention.

It is believed that these remarks overcome the Examiner's rejection of claims 1, 5-8, 10 and 11 as being anticipated by Weitzel 1. Withdrawal, therefore, of the rejection of claims 1, 5-8, 10 and 11 under 35 U.S.C. § 102(a) is respectfully requested.

U.S. Patent No. 6,063,865 to Ball et al. –

The Examiner has rejected claims 1-8 as being anticipated by U.S. Patent No. 6,063,865 to Ball *et al.* ("Ball"). For the following reasons, Applicants respectfully traverse the Examiner's rejection of claims 1-8 as being anticipated by Ball.

Ball is directed towards crosslinkable powder compositions that are redispersible in water. Ball does not teach or suggest a process for producing thermal insulation adhesives and reinforcing mortars. Accordingly, as Ball does not teach each and every element of the present invention, it cannot be said that Ball anticipates the presently claimed invention.

It is believed that these remarks overcome the Examiner's rejection of claims 1-8 as being anticipated by Ball. Withdrawal, therefore, of the rejection of claims 1-8 under 35 U.S.C. § 102(b) is respectfully requested.

U.S. Publication No. 2002/0162485 to Jodlbauer et al. –

The Examiner has rejected claims 1, 5-9 and 11 as being anticipated by U.S. Publication No. 2002/0162485 to Jodlbauer *et al.* ("Jodlbauer"). For the following reasons, Applicants respectfully traverse the Examiner's rejection of claims 1, 5-9 and 11 as being anticipated by Jodlbauer.

New independent claim 12 is directed towards redispersible dispersion powders comprising one or more copolymers having monomers having one or more carbonyl groups chosen from aldehyde and keto groups. The limitation of "monomers having one or more carbonyl groups chosen from aldehyde and keto groups" was also a limitation of former claim 2. As this limitation was not part of the anticipation limitation, it is presumed that this limitation is

not taught by Jodlbauer. Therefore, it cannot be said that Jodlbauer anticipates the presently claimed invention

It is believed that these remarks overcome the Examiner's rejection of claims 1, 5-9 and 11 as being anticipated by Jodlbauer. Withdrawal, therefore, of the rejection of claims 1, 5-9 and 11 under 35 U.S.C. § 102(a) is respectfully requested.

U.S. Publication No. 2003/0065079 to Weitzel et al. –

The Examiner has rejected claims 1-8 and 11 as being anticipated by U.S. Publication No. 2003/0065079 to Weitzel et al. ("Weitzel 2"). For the following reasons, Applicants respectfully traverse the Examiner's rejection of claims 1-8 and 11 as being anticipated by Weitzel 2.

Weitzel 2 is directed towards the use of copolymers derived from vinyl ester, (meth)acrylic ester and optionally ethylene comonomers, stabilized with a PVOH protective colloid in building materials (Abstract). The copolymers are obtained by emulsion or suspension copolymerization in an at least two-step process wherein a) the vinyl ester component is polymerized, optionally with ethylene and further copolymerizable comonomers, to a conversion of from 90 to 100% by weight in a first step, and b) the ester(s) of (meth)acrylic acid are subsequently added and polymerized in a second step (Abstract).

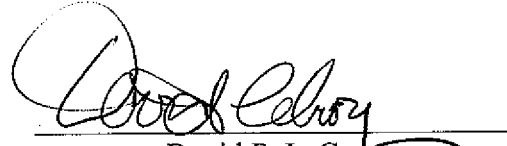
Weitzel 2 does not teach or suggest a process for producing thermal insulation adhesives and reinforcing mortars involving polymerizing one or more monomers having one or more carbonyl groups, wherein at least one of the one or more carbonyl groups are chosen from aldehyde and keto groups, forming one or more copolymers having one or more carbonyl groups. As Weitzel 2 does not teach each and every element of the present invention, it cannot be said that Weitzel 2 anticipates the presently claimed invention.

It is believed that these remarks overcome the Examiner's rejection of claims 1-8 and 11 as being anticipated by Weitzel 2. Withdrawal, therefore, of the rejection of claims 1-8 and 11 under 35 U.S.C. § 102(a) is respectfully requested.

Based on the above amendments and remarks, allowance of the claims is believed to be in order, and such allowance is respectfully requested.

Respectfully submitted,

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